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Lead Counsel for Direct Purchaser Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

Master File No. 07-CV-5944-JST

MDL No. 1917

This Document Relates to:

ALL DIRECT PURCHASER ACTIONS

**DECLARATION OF R. ALEXANDER
SAVERI IN SUPPORT OF DIRECT
PURCHASER PLAINTIFFS' MOTION TO
COMPEL DISCOVERY RESPONSES FROM
THE IRICO DEFENDANTS**

Date: May 10, 2018
Time: 2:00 p.m.
Judge: Honorable Jon S. Tigar
Courtroom: 9

1 I, R. Alexander Saveri, declare:

2 1. I am the Managing Partner of Saveri & Saveri, Inc., Lead Counsel for Direct
3 Purchaser Plaintiffs (“Plaintiffs”) in this action. I am a member of the Bar of the State of California
4 and admitted to practice in the Northern District of California. I have been involved in virtually
5 every aspect of this case from its outset in 2007. I make this Declaration in Support of Plaintiffs’
6 Motion to Compel Discovery Responses from the Irico Defendants. Except as otherwise stated, I
7 have personal knowledge of the facts stated below.

8 2. On March 12, 2010, Plaintiffs served their first and second sets of requests for
9 production of documents and their first set of interrogatories, including on counsel for Defendants
10 Irico Display Devices Co., Ltd. and Irico Group Corporation (the “Irico Defendants”), then
11 Terrance A. Callan of Pillsbury Winthrop Shaw Pittman LLP. Attached hereto as Exhibit 1 is a true
12 and correct copy of Plaintiffs’ First Set of Requests for Production of Documents, dated June 4,
13 2008. Attached hereto as Exhibit 2 is a true and correct copy of Plaintiffs’ Second Set of Requests
14 for Production of Documents, dated March 12, 2010. Attached hereto as Exhibit 3 is a true and
15 correct copy of Plaintiffs’ First Set of Interrogatories, dated March 12, 2010. Attached hereto as
16 Exhibit 4 is a true and correct copy of Proof of Service, dated March 12, 2010. Plaintiffs have no
17 record of responses to this discovery from the Irico Defendants.

18 3. On September 22, 2011, Plaintiffs served their second set of interrogatories and
19 their third set of requests for production of documents, including on Mr. Callan. Attached hereto as
20 Exhibit 5 is a true and correct copy of Plaintiff Hawel A. Hawel’s, d/b/a City Electronics, Second
21 Set of Interrogatories to All Defendants, dated September 22, 2011. Attached hereto as Exhibit 6 is
22 a true and correct copy of Plaintiffs’ Third Set of Requests for Production of Documents, dated
23 September 22, 2011. Attached hereto as Exhibit 7 is a true and correct copy of Proof of Service,
24 dated September 22, 2011. Plaintiffs have no record of responses to this discovery from the Irico
25 Defendants.

26 4. On February 14, 2018, I sent a letter to the Irico Defendants’ counsel, John Taladay
27 of Baker Botts LLP, requesting that the Irico Defendants respond to the pending discovery.
28 Attached hereto as Exhibit 8 is a true and correct copy of my letter.

1 5. On February 20, 2018, I received a letter from Mr. Taladay regarding, *inter alia*, the
2 Irico Defendants' positions with respect to the pending discovery and suggesting that the parties
3 schedule a meet and confer. Attached hereto as Exhibit 9 is a true and correct copy of Mr.
4 Taladay's letter to me.

5 6. On March 6, 2018, I and other Plaintiffs' counsel held a meet and confer
6 teleconference with Mr. Taladay and other counsel for the Irico Defendants. Attached hereto as
7 Exhibit 10 is a true and correct copy of my letter to Mr. Taladay memorializing the meet and
8 confer, dated March 6, 2018. Attached hereto as Exhibit 11 is a true and correct copy of Mr.
9 Taladay's response to my March 6, 2018 letter, dated March 13, 2018.

10 7. Plaintiffs did not agree that the dispute with respect to the pending discovery would
11 be resolved by the Court at the April 24, 2018 Case Management Conference in lieu of a motion to
12 compel.

13 8. On March 21, 2018, Plaintiffs submitted their Motion to Compel Irico Discovery
14 Responses to the Special Master.

15 9. On March 23, 2018, the Irico Defendants submitted their letter response to the
16 Special Master. Attached hereto as Exhibit 12 is a true and correct copy of the Irico Defendants'
17 letter response to Plaintiffs' Motion to Compel Irico Discovery Responses.

18 I declare under the penalty of perjury under the laws of the United States of America that
19 the foregoing is true and correct.

20 Executed this 27th day of March, 2018 in San Francisco, California.

21
22 /s/ R. Alexander Saveri
23 R. Alexander Saveri
24
25
26
27
28

EXHIBIT 1

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9 *Interim Lead Counsel for*
10 *Direct Purchaser Plaintiffs*

11
12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15
16 IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

Master File No. 07-5944-SC

MDL No. 1917

17
18 This Document Relates To:
19 ALL DIRECT PURCHASER ACTIONS

DIRECT PURCHASER PLAINTIFFS'
FIRST SET OF REQUESTS FOR
PRODUCTION OF DOCUMENTS

1 Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, plaintiffs hereby request
2 that each defendant respond to each of the following requests for production of documents and
3 produce all responsive documents for inspection and copying within 30 days.
4

5 **DEFINITIONS**

6 As used herein, the following terms are defined as follows:

- 7 1. "All" should be construed to include the collective as well as the singular and shall
8 mean "each," "any," and "every."
- 9 2. "Any" shall be construed to mean "any and all."
- 10 3. "Defendant" means any company, organization, entity or person presently or
11 subsequently named as a defendant in this litigation.
- 12 4. "Document" means without limitation, the original and all non-identical copies of all
13 items subject to discovery under Rule 34 of the Federal Rules of Civil Procedure. This definition
14 includes, without limitation, letters, correspondence, memoranda, legal pleadings, calendars, diaries,
15 travel records, summaries, records of telephone conversations, telegrams, notes, reports,
16 compilations, notebooks, work papers, graphs, charts, blueprints, books, pamphlets, brochures,
17 circulars, manuals, instructions, ledgers, drawings, sketches, photographs, videotapes, audiotapes,
18 film and sound reproductions, e-mails, internal or external web sites, compact discs, computer files
19 and disks, sales, advertising and promotional literature, agreements, stored recordings, minutes or
20 other records of meetings, all written or graphic records or representations of any kind, and all
21 mechanical or electronic data, records or representations of any kind.
- 22 5. "Electronic data" includes, without limitation, the following:
 - 23 a. activity listings of electronic mail receipts and/or transmittals;
 - 24 b. output resulting from the use of any software program, including, without
25 limitation, word processing documents, spreadsheets, database files, charts, graphs and outlines,
26 electronic mail, AOL Instant MessengerTM (or similar program) or bulletin board programs,
27 operating systems, source code, PRF files, PRC files, batch files, ASCII files, and all miscellaneous
28

1 media on which they reside and regardless of whether said electronic data exists in an active file, a
2 deleted file, or file fragment;

3 c. any and all items stored on computer memories, hard disks, floppy disks, CD-
4 ROM, magnetic tape, microfiche, or in any other vehicle for digital data storage and/or transmittal,
5 such as, but not limited to, a personal digital assistant, *e.g.*, Palm Pilot, R.I.M., Blackberry, or similar
6 device, and file folder tabs, and/or containers and labels appended to, or relating to, any physical
7 storage device associated with each original and/or copy of all documents requested herein.

8 6. "Employee" means, without limitation, any current or former officer, director,
9 executive, manager, secretary, staff member, messenger, agent or other person who is or was
10 employed by a defendant.

11 7. "Including" is used to emphasize certain types of documents requested and should not
12 be construed as limiting the request in any way.

13 8. "Or" and "and" should be construed so as to require the broadest possible response.
14 If, for example, a request calls for information about "A or B" or "A and B," you should produce all
15 information about A and all information about B, as well as all information about A and B
16 collectively. In other words, "or" and "and" should be read as "and/or."

17 9. "Relating to," "referring to," "regarding," or "with respect to" mean, without
18 limitation, the following concepts: discussing, describing, reflecting, dealing with, pertaining to,
19 analyzing, evaluating, estimating, constituting, studying, surveying, projecting, assessing, recording,
20 summarizing, criticizing, reporting, commenting, or otherwise involving, in whole or in part.

21 10. "CRT" means cathode ray tube(s) and "CRT products" means products containing
22 cathode ray tubes.

23 11. "You," "your," or "your company" mean the responding defendant, its predecessors,
24 successors, subsidiaries, departments, divisions, and/or affiliates, including without limitation any
25 organization or entity which the responding defendant manages or controls, together with all present
26 and former directors, officers, employees, agents, representatives or any persons acting or purporting
27 to act on behalf of the responding defendant.
28

INSTRUCTIONS

1
2 1. Unless otherwise noted, the relevant time period for these document requests is
3 January 1, 1995 through the present (the "relevant time period"). These document requests seek all
4 responsive documents created or generated during the relevant time period, as well as responsive
5 documents created or generated outside the relevant time period, but which contain information
6 concerning the relevant time period.

7 2. To the extent documents responsive to any of these document requests have already
8 been produced to plaintiffs, there is no need to produce those documents a second time. Instead,
9 please provide the bates numbers of any responsive documents already produced.

10 3. Pursuant to Rule 26(e) of the Federal Rules of Civil Procedure, these document
11 requests are continuing in nature so that if you subsequently discover or obtain possession, custody,
12 or control of any document covered by these requests, you shall promptly make any such document
13 available to plaintiffs.

14 4. In producing documents and other materials, you are to furnish all documents or
15 things in your possession, custody or control, regardless of whether such documents or materials are
16 possessed directly by you or your employees, agents, parent company(ies), subsidiaries, affiliates,
17 investigators or by your attorneys or their employees, agents or investigators.

18 5. Pursuant to Rule 34(b) of the Federal Rules of Civil Procedure, all documents shall be
19 produced in the same order as they are kept or maintained by you in the ordinary course of your
20 business. All documents shall be produced in the file folder, envelope or other container in which
21 the documents are kept or maintained. If for any reason the container cannot be produced, you
22 should produce copies of all labels or other identifying marks which may be present on the
23 container.
24

25 6. Documents shall be produced in such fashion as to identify the department, branch or
26 office in whose possession they were located and, where applicable, the natural person in whose
27 possession they were found and the business address of each document(s) custodian(s).
28

1 7. Documents attached to one another should not be separated. If any portion of any
2 document is responsive to any portion of the document requests below, then the entire document
3 must be produced.

4 8. If a document once existed and subsequently has been lost, destroyed or is otherwise
5 missing, you should provide sufficient information to identify the document and state, in writing, the
6 details, including whether the document:

- 7 a. is lost or missing;
- 8 b. has been destroyed and, if so, by whom at whose request;
- 9 c. has been transferred or delivered, voluntarily or involuntarily, to another
10 person or entity and at whose request; and/or
- 11 d. has been otherwise disposed of.

12 9. In each instance in which a document once existed and subsequently is lost, missing,
13 destroyed, or otherwise disposed of, explain the circumstances surrounding the disposition of the
14 document, including, but not limited to:

- 15 a. the identity of the person or entity who last possessed the document;
- 16 b. the date or approximate date of the documents disposition; and
- 17 c. the identity of all persons who have or had knowledge of the document's
18 contents.

19 10. If any document responsive to any of these requests is privileged, and the document
20 or any portion of the document requested is withheld based on a claim of privilege pursuant to Rule
21 26(b)(5) of the Federal Rules of Civil Procedure, provide a statement of the claim of privilege and all
22 facts relied upon in support of that claim, including the following information:

- 23 a. the reason for withholding the document;
- 24 b. the date of such communication;
- 25 c. the medium of such communication;
- 26 d. the general subject matter of such communication (such description shall not
27 be considered a waiver of your claimed privilege);
28

1 e. the identity of any document that was the subject of such communication and
2 the present location of any such document;

3 f. the identity of the persons involved in such communication;

4 g. the identity of any document which records, refers, or relates to such
5 communication and present location of any such document;

6 h. the paragraph or paragraphs of these requests for production of documents to
7 which such information is responsive.

8 11. Each document requested herein should be produced in its entirety and without
9 deletion, redaction or excisions, except as qualified by Instruction 10 above, regardless of whether
10 you consider the entire document or only part of it to be relevant or responsive to these document
11 requests. If you have redacted any portion of a document, stamp the word "REDACTED" beside the
12 redacted information on each page of the document which you have redacted. Any redactions to
13 documents produced should be identified in accordance with Instruction 10 above.

14 12. All documents produced should be Bates numbered sequentially, with a unique
15 number on each page, and with a prefix identifying the party producing the document.

16 13. Pursuant to Federal Rule of Civil Procedure 34(b)(1)(C), the responding party must
17 produce any electronically stored information ("ESI") in its native format. If ESI in its native format
18 can only be accessed by proprietary or legacy software, the responding party must meet and confer
19 with plaintiffs' lead counsel so the receiving party shall receive all information and software
20 necessary to access the ESI. Subject to the right under Rule 34(a) to sample, ESI from proprietary
21 databases may be produced in Excel or other mutually agreeable format. ESI is to be produced in
22 Tagged Image File Format ("TIFF", or ".TIF") files. TIFF files should be produced in single page
23 format along with an image load file (DTI file) indicating document breaks. The image load file
24 should be compatible with Summation and Concordance. Load files created in the process of
25 converting ESI from the electronic format of the application in which the ESI is normally created,
26 viewed, and/or modified ("metadata load file") must also be produced. The metadata load files
27 should contain any and all metadata identified within the data, including document text, file name,
28

1 last accessed date and time, file created date and time, last modified date and time, and original path
2 of document. In the case of email, the load file should also include additional metadata including
3 author, recipient, cc, bcc, date and time sent, and date and time received. Load files should also
4 contain a link to Excel spreadsheets and Access databases in native format and the Excel and Access
5 files should be included in the production in native form in a directory structure that is identical to
6 the target of the link. Files should be accompanied by a reference file containing the MD5 hash value
7 for each file. Load files should provide all parent/child or parent/sibling relationships. Family ranges
8 should also be provided. Other databases are to be produced in reasonably usable form. Audio files
9 are to be produced in MPEG-1 Audio Layer 3 ("MP3") format and should be accompanied by a
10 reference file containing the MD5 hash value for each file. Bates numbers should be electronically
11 branded to each page of ESI produced. Gaps in bates numbers produced should be explained in a
12 privilege log. Please provide an index or other means to determine which files came from which
13 office and/or person.

14 DOCUMENT REQUESTS

15 Request No. 1

16 All documents produced by you (including seized documents) to any domestic governmental
17 entity in connection with CRT or CRT products, including the United States Department of Justice,
18 either voluntarily and/or pursuant to a grand jury subpoena.

19 Request No. 2

20 Copies of all subpoenas or requests for production of documents issued by the United States
21 Department of Justice referring or relating to CRT or CRT products during the relevant period.

22 Request No. 3

23 Documents sufficient to show your corporate structure or organization throughout the
24 relevant time period, including, but not limited to, departments, divisions, parents, subsidiaries, joint
25 ventures, affiliates, or other sub-units that were engaged during any part of the relevant time period
26 in the manufacture, marketing, sale or distribution of CRT or CRT products including, where
27 applicable, the percentage of any stock or other interests owned by each entity in the chain.
28

Request No. 4

As to each of your divisions, subdivisions, departments, units, subsidiaries, parents, affiliates and joint ventures, documents sufficient to identify each employee having any responsibilities or duties with respect to each of the following:

- (a) the manufacturing or production of CRT or CRT products;
- (b) the marketing of CRT or CRT products;
- (c) the pricing of CRT or CRT products;
- (d) the sale or distribution of CRT or CRT products;
- (e) maintaining any electronic database(s), including archives, of e-mail or other electronic documents relating to CRT or CRT products.

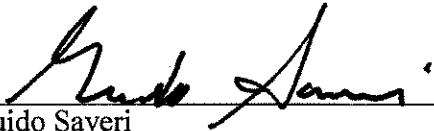
Request No. 5

Documents and electronic data sufficient to identify or set forth your annual, monthly and quarterly sales of CRT or CRT products directly purchased in the United States and that were either shipped to, and/or billed to said purchaser from January 1, 1991 through the present.

DATED: June 4, 2008

SAVERI & SAVERI, INC.

By



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R. Alexander Saveri
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Direct Purchaser Plaintiffs' Interim Lead Counsel

CRT.073

EXHIBIT 2

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8 *Interim Lead Counsel for*
9 *Direct Purchaser Plaintiffs*

10
11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN FRANCISCO DIVISION**
14

15 IN RE: CATHODE RAY TUBE (CRT)
16 ANTITRUST LITIGATION

Master File No. 07-5944-SC

MDL No. 1917

17
18 This Document Relates To:
19 ALL DIRECT PURCHASER ACTIONS

DIRECT PURCHASER PLAINTIFFS'
SECOND SET OF REQUESTS FOR
PRODUCTION OF DOCUMENTS

1 Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, plaintiffs hereby request
2 that each Defendant respond to each of the following requests for production of Documents, and
3 produce all responsive Documents for inspection and copying within 30 days.

4 Pursuant to Rule 26(c) of the Federal Rules of Civil Procedure, these Document requests are
5 continuing in nature so that if Defendants, their directors, officers, Employees, agents,
6 representatives or any person acting, or purporting to act, on behalf of any Defendant, discover any
7 Document(s) requested or required to be produced, Defendants shall make such Document(s)
8 available.

9 **DEFINITIONS**

10 As used herein, the following terms are defined as follows:

- 11 1. "All" should be construed to include the collective as well as the singular and shall
12 mean "each," "any," and "every."
- 13 2. "Any" shall be construed to mean "any and all."
- 14 3. "Communication" means without limitation, oral or written communications of any
15 kind, such as electronic communications, e-mails, facsimiles, telephone communications,
16 correspondence, exchange of written or recorded information, or face-to-face Meetings. The phrase
17 "communication between" is defined to include instances where one party addresses the other party
18 but the other party does not necessarily respond.
- 19 4. "Date" means the exact day, month and year, if ascertainable, or the best available
20 approximation, including any relationship to other known events (designate whether exact or
21 approximate).
- 22 5. "Defendant" means any company, organization, entity or person presently or
23 subsequently named as a Defendant in this litigation.
- 24 6. "Document" means without limitation, the original and all non-identical copies of all
25 items subject to discovery under Rule 34 of the Federal Rules of Civil Procedure. This definition
26 includes, without limitation, letters, correspondence, memoranda, legal pleadings, calendars, diaries,
27 travel records, summaries, records of telephone conversations, telegrams, notes, reports,
28

1 compilations, notebooks, work papers, graphs, charts, blueprints, books, pamphlets, brochures,
2 circulars, manuals, instructions, ledgers, drawings, sketches, photographs, videotapes, audiotapes,
3 film and sound reproductions, e-mails, internal or external web sites, compact discs, computer files
4 and disks, sales, advertising and promotional literature, agreements, stored recordings, minutes or
5 other records of Meetings, all written or graphic records or representations of any kind, and all
6 mechanical or electronic data, records or representations of any kind.

7 7. "Electronic Data" includes, without limitation, the following:
8 a. activity listings of electronic mail receipts and/or transmittals;
9 b. output resulting from the use of any software program, including, without
10 limitation, word processing Documents, spreadsheets, database files, charts, graphs and outlines,
11 electronic mail, AOL Instant Messenger™ (or similar program) or bulletin board programs,
12 operating systems, source code, PRF files, PRC files, batch files, ASCII files, and all miscellaneous
13 media on which they reside and regardless of whether said electronic data exists in an active file, a
14 deleted file, or file fragment;
15 c. any and all items stored on computer memories, hard disks, floppy disks, CD-
16 ROM, magnetic tape, microfiche, or in any other vehicle for digital data storage and/or transmittal,
17 such as, but not limited to, a personal digital assistant, *e.g.*, Palm Pilot, R.I.M., Blackberry, or similar
18 device, and file folder tabs, and/or containers and labels appended to, or relating to, any physical
19 storage device associated with each original and/or copy of all Documents requested herein.
20

21 8. "Employee" means, without limitation, any current or former officer, director,
22 executive, manager, secretary, staff member, messenger, agent or other person who is or was
23 employed by a Defendant.

24 9. "Including" is used to emphasize certain types of Documents requested and should
25 not be construed as limiting the request in any way.

26 10. "Meeting" means, without limitation, any assembly, convocation, encounter, or
27 contemporaneous presence of two or more persons for any purpose, whether planned or arranged,
28 scheduled or not.

11. "Or" and "and" should be construed so as to require the broadest possible response. If, for example, a request calls for information about "A or B" or "A and B," You should produce all information about A and all information about B, as well as all information about A and B collectively. In other words, "or" and "and" should be read as "and/or."

12. "Person" means, without limitation, any natural person, corporation, partnership, limited liability company, proprietorship, joint venture, association, government entity, group or other form of legal entity.

13. "Relating to," "referring to," "regarding," or "with respect to" mean, without limitation, the following concepts: discussing, describing, reflecting, dealing with, pertaining to, analyzing, evaluating, estimating, constituting, studying, surveying, projecting, assessing, recording, summarizing, criticizing, reporting, commenting, or otherwise involving, in whole or in part.

14. "CRT" means cathode ray tube(s) and "CRT Products" means products containing cathode ray tubes.

15. "You," "Your," or "Your Company" mean the responding Defendant, its predecessors, successors, subsidiaries, departments, divisions, and/or affiliates, including without limitation any organization or entity which the responding Defendant manages or controls, together with all present and former directors, officers, Employees, agents, representatives or any persons acting or purporting to act on behalf of the responding Defendant.

INSTRUCTIONS

1. Unless otherwise noted, the Relevant Time Period for these Document requests is January 1, 1995 through the present (the "Relevant Time Period"). These Document requests seek all responsive Documents created or generated during the Relevant Time Period, as well as responsive Documents created or generated outside the Relevant Time Period, but which contain information concerning the Relevant Time Period.

2. To the extent Documents responsive to any of these Document requests have already been produced to plaintiffs, there is no need to produce those Documents a second time. Instead, please provide the bates numbers of any responsive Documents already produced.

1 3. Pursuant to Rule 26(e) of the Federal Rules of Civil Procedure, these Document
2 requests are continuing in nature so that if You subsequently discover or obtain possession, custody,
3 or control of any Document covered by these requests, You shall promptly make any such Document
4 available to plaintiffs.

5 4. In producing Documents and other materials, You are to furnish all Documents or
6 things in Your possession, custody or control, regardless of whether such Documents or materials
7 are possessed directly by You or Your Employees, agents, parent company(ies), subsidiaries,
8 affiliates, investigators or by Your attorneys or their Employees, agents or investigators.

9 5. Pursuant to Rule 34(b) of the Federal Rules of Civil Procedure, all Documents shall
10 be produced in the same order as they are kept or maintained by You in the ordinary course of Your
11 business. All Documents shall be produced in the file folder, envelope or other container in which
12 the Documents are kept or maintained. If for any reason the container cannot be produced, You
13 should produce copies of all labels or other identifying marks which may be present on the
14 container.

15 6. Documents shall be produced in such fashion as to identify the department, branch or
16 office in whose possession they were located and, where applicable, the natural person in whose
17 possession they were found and the business address of each Document(s) custodian(s).

18 7. Documents attached to one another should not be separated. If any portion of any
19 Document is responsive to any portion of the Document requests below, then the entire Document
20 must be produced.

21 8. If a Document once existed and subsequently has been lost, destroyed or is otherwise
22 missing, You should provide sufficient information to identify the Document and state, in writing,
23 the details, including whether the Document:

- 24 a. is lost or missing;
25 b. has been destroyed and, if so, by whom at whose request;
26 c. has been transferred or delivered, voluntarily or involuntarily, to another
27 person or entity and at whose request; and/or
28

d. has been otherwise disposed of.

9. In each instance in which a Document once existed and subsequently is lost, missing, destroyed, or otherwise disposed of, explain the circumstances surrounding the disposition of the Document, including, but not limited to:

- a. the identity of the Person or entity who last possessed the Document;
- b. the date or approximate date of the Documents disposition; and
- c. the identity of all Persons who have or had knowledge of the Document's contents.

10. If any Document responsive to any of these requests is privileged, and the Document or any portion of the Document requested is withheld based on a claim of privilege pursuant to Rule 26(b)(5) of the Federal Rules of Civil Procedure, provide a statement of the claim of privilege and all facts relied upon in support of that claim, including the following information:

- a. the reason for withholding the Document;
- b. the date of such communication;
- c. the medium of such communication;
- d. the general subject matter of such communication (such description shall not be considered a waiver of Your claimed privilege);
- e. the identity of any Document that was the subject of such communication and the present location of any such Document;
- f. the identity of the Persons involved in such communication;
- g. the identity of any Document which records, refers, or relates to such communication and present location of any such Document;
- h. the paragraph or paragraphs of these requests for production of Documents to which such information is responsive.

11. Each Document requested herein should be produced in its entirety and without deletion, redaction or excisions, except as qualified by Instruction 10 above, regardless of whether You consider the entire Document or only part of it to be relevant or responsive to these Document

requests. If You have redacted any portion of a Document, stamp the word "REDACTED" beside the redacted information on each page of the Document which You have redacted. Any redactions to Documents produced should be identified in accordance with Instruction 10 above.

12. All Documents produced in paper form should be Bates numbered sequentially, with a unique number on each page, and with a prefix identifying the party producing the Document.

13. Pursuant to Federal Rule of Civil Procedure 34(b)(1)(C), the responding party must produce any electronically stored information ("ESI") in its native format. If ESI in its native format can only be accessed by proprietary or legacy software, or is password protected, or encrypted, the responding party must meet and confer with plaintiffs' lead counsel so the receiving party shall receive all information and software necessary to access the ESI.

DOCUMENT REQUESTS

Request No. 1

Documents sufficient to show Your corporate structure or organization throughout the relevant period, including, but not limited to, departments, divisions, parents, subsidiaries, joint ventures, affiliates, or other sub-units that were engaged during any part of the relevant period in the manufacture, marketing, sale or distribution of CRT or CRT Products in the United States, including, where applicable, the percentage of any stock or other interests owned by each entity in the chain.

Request No. 2

As to each of Your divisions, subdivisions, departments, units, subsidiaries, parents, affiliates and joint ventures, Documents sufficient to identify each executive or Employee with managerial authority who had responsibilities or duties with respect to each of the following:

- (a) the manufacturing or production of CRT or CRT Products;
- (b) the marketing of CRT or CRT Products;
- (c) the pricing of CRT or CRT Products;
- (d) the sale or distribution of CRT or CRT Products;
- (e) maintaining any electronic database(s), including archives, of e-mail or other electronic Documents relating to CRT or CRT Products.

Request No. 3

Documents sufficient to describe Your policies or practices with respect to the retention or destruction of Documents during the period January 1, 1991 through the present, and, if such policy or practice has been different with respect to any category of Documents or over different times, Documents sufficient to identify each such category or time period and to describe Your retention policy or practice with respect to each such category or time period.

Request No. 4

Documents sufficient to show the manner in which You have maintained records relating to CRT or CRT Products during the period January 1, 1991 through the present, including Documents sufficient to describe all electronic data processing systems, programs and outputs used to record, store, compute, analyze or retrieve electronically stored information relating to Your pricing, production, distribution, marketing or sale of CRT or CRT Products in the United States.

Request No. 5

All Documents and electronic data relating to Your sales of CRT or CRT Products during the period January 1, 1991 through the present, including, but not limited to:

- a) customer names, customer billing addresses, and customer ship-to addresses;
- b) sales terms;
- c) sales dates and shipment dates;
- d) product type, class, category, description, and respective use;
- e) sales volumes;
- f) unit price information, gross price, and actual net prices;
- g) discounts, credits, and rebates;
- h) shipping charges and terms;
- i) any other related charges; and
- j) amounts paid, dates paid, invoice numbers, and purchase order numbers.

If such data are not kept, or have not been kept, in electronic form in the ordinary course of Your business or are otherwise not available in electronic form, please produce such data in hard copy.

1 **Request No. 6**

2 All software instructions, programs, manuals, or other Documents necessary to operate,
3 run or understand any of the programs maintained on the computer-related equipment or system
4 utilized by You to maintain, gain access to or read data produced in response to Request Nos. 4-5,
5 including all record laYouts, field codes or other descriptions.

6 **Request No. 7**

7 All Documents relating to policies, methods, formulas or factors to be used in determining,
8 computing or quoting prices, including any rebates or discounts, in connection with the sale of CRT
9 or CRT Products.

10 **Request No. 8**

11 All Documents relating to any published prices for CRT or CRT Products during the period
12 January 1, 1991 through the present, including price announcements, price lists, price schedules, or
13 price changes communicated to customers in the United States.

14 **Request No. 9**

15 All Documents relating to contracts, offers or proposals for CRT or CRT Products sales
16 during the period January 1, 1991 through the present.

17 **Request No. 10**

18 Documents sufficient to identify each of Your facilities that produced CRT or CRT Products
19 from January 1, 1991 through the present, and for each such facility, all Documents relating to:

- 20 a) capacity, rated capacity, production and capacity utilization during each year of the
21 Relevant Time Period;
22 b) any proposed or actual change in the capacity to produce CRT or CRT Products;
23 c) any reason for changes in each facility's actual production of CRT or CRT Products;
24 d) the identity of all persons who had decision-making or supervisory responsibility
25 regarding CRT or CRT Products production;
26 e) each type, class, category and respective use of CRT or CRT Products produced and
27 the amounts of each produced during each month of the relevant period;
28

f) any production shutdowns or slowdowns of CRT or CRT Products production and reasons for such shutdowns or slowdowns; and

g) any projected production forecasts;

h) any future plans to construct, joint venture or purchase fabrication plants used to manufacture or produce CRT or CRT Products.

Request No. 11

Documents sufficient to describe the processes for producing CRT or CRT Products, including but not limited to, any industry standards.

Request No. 12

All Documents relating to the cost of manufacturing, marketing, selling, and distributing CRT or CRT Products during the period January 1, 1991 through the present.

Request No. 13

Documents sufficient to show Your inventory levels of CRT or CRT Products for each month, quarter, calendar year or fiscal year from January 1, 1991 through the present.

Request No. 14

Documents sufficient to identify and quantify all swaps, trades, sales, purchases or transfers of CRT or CRT Products between You and any of Your affiliates, or between You and any other producer of CRT or CRT Products, and the price or any other consideration involved in every such sale, swap, trade, purchase or transfer.

Request No. 15

All Documents relating to any relationship between prices for CRT or CRT Products and any costs of producing, marketing, selling, or distributing CRT or CRT Products during the period January 1, 1991 through the present.

Request No. 16

All of Your internal and public annual, quarterly and monthly financial statements, summaries or analyses, including profit-and-loss statements and comparisons to budget that relate to CRT or CRT Products.

1 **Request No. 17**

2 All business plans, planning analyses, budgets, forecasts, or sales or profit projections
3 relating to CRT or CRT Products.

4 **Request No. 18**

5 Documents sufficient to show the identity of all other producers and sellers of CRT or CRT
6 Products during any portion of the relevant period.

7 **Request No. 19**

8 All Documents relating to Your percentage or share of industry production, capacity, sales or
9 shipments of CRT or CRT Products, or the percentage or share of industry production, capacity,
10 sales or shipments of any other producer or seller of CRT or CRT Products at any time during the
11 period January 1, 1991 through the present.

12 **Request No. 20**

13 All Documents showing the dollar volume or quantity of sales or shipments of CRT or CRT
14 Products (by type or category, if available) by You or by other producers or sellers of CRT or CRT
15 Products by month, quarter, calendar year or fiscal year during the period January 1, 1991 through
16 the present.

17 **Request No. 21**

18 All Documents that compare or contrast each type, class, or category of CRT or CRT
19 Products produced or sold by You with that of any other producer or seller of CRT or CRT Products
20 and all Documents that relate to any industry standards regarding types, classes, or categories of
21 CRT or CRT Products.

22 **Request No. 22**

23 Documents sufficient to show the regions or territories in which each type, class, or category
24 of CRT or CRT Products are sold in the United States.
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1 **Request No. 23**

2 All Documents relating to conditions of supply or demand for CRT or CRT Products,
3 including, but not limited to, any market studies or industry reports during the period January 1,
4 1991 through the present.

5 **Request No. 24**

6 All Documents relating to any contemplated, proposed, planned, pending or executed
7 purchases, sales, acquisitions, mergers, joint ventures, divestitures, transfers, spin-offs or any other
8 change in ownership of any assets, liabilities, subsidiaries, departments, units or other subdivisions
9 of Your or another company relating to production, distribution, marketing, pricing, sale or resale of
10 CRT or CRT Products during the Relevant Time Period.

11 **Request No. 25**

12 All Documents relating to any communications between You and any parent, subsidiary,
13 affiliated company, joint venturer, or partner regarding the production, pricing, marketing, sale or
14 distribution of CRT or CRT Products.

15 **Request No. 26**

16 All Documents relating to communications regarding CRT or CRT Products between or
17 among manufacturers of CRT or CRT Products, including Defendants.

18 **Request No. 27**

19 All Documents relating to any Meeting attended by You or any other Defendant or any
20 manufacturer of CRT or CRT Products during which there was any communication concerning the
21 production, marketing, pricing, distribution, inventory levels or sale of CRT or CRT Products,
22 including, but not limited to the notes of any such Meetings.

23 **Request No. 28**

24 For each of Your Employees who has or had any non-clerical responsibility for
25 recommending, reviewing, setting or approving prices, price increase announcements, bids or
26 quotes for the sale of CRT or CRT Products, or any other involvement in the marketing or sale of
27 CRT or CRT Products:
28

- 1 a. all copies of electronic and manual diaries, calendars, appointment books, "to do"
- 2 lists, day timers or appointment notes;
- 3 b. all copies of trip and travel logs, records or other supporting Documents;
- 4 c. all copies of expense reports or other supporting Documents;
- 5 d. all copies of telephone number logs, directories, notebooks, Rolodex cards or related
- 6 memoranda;
- 7 e. all bills, statements, records and supporting Documents concerning long distance or
- 8 cellular telephone calls;
- 9 f. all Documents relating to membership in any trade association or industry group; and
- 10 g. the complete personnel file for that Employee.

11 **Request No. 29**

12 Documents sufficient to show the name and address of each trade association (including

13 committees and subcommittees) relating to CRT or CRT Products of which You or any of Your

14 Employees are or have been a member, as well as Documents sufficient to show dates of

15 membership and dates of participation in committees or subcommittees.

16 **Request No. 30**

17 All Documents relating to Meetings of each trade association and each of its committees or

18 subcommittees relating to CRT or CRT Products, including all Documents relating to any such

19 Meeting attended by You and any other CRT or CRT Products manufacturer and Documents

20 sufficient to identify individuals from Your company who attended, the dates of attendance, and the

21 subject matters discussed.

22 **Request No. 31**

23 All studies, analyses, communications, presentations or other Documents that You have

24 submitted to or received from any trade association regarding CRT or CRT Products.

25 **Request No. 32**

26 All statements, announcements, disclosures or press releases issued by You or any of Your

27 competitors relating to CRT or CRT Products.

28

Request No. 33

All Documents relating to Your policies or practices directed toward compliance with the United States antitrust laws, including any statements signed by Your Employees with pricing, sales or marketing responsibility for CRT or CRT Products, acknowledging their receipt of and compliance with Your antitrust compliance policy.

Request No. 34

All Documents relating to, prepared for, submitted to, or received from any foreign governmental or legislative investigative body, including the Canadian Competition Bureau, the European Commission, any agency or representative body of any foreign country, state or other political subdivision, or any law enforcement agency, authority or commission in any foreign country, relating to the production, sale, marketing, pricing or distribution of CRT or CRT Products. This request includes all Documents relating to proffers, transcripts, notes, summaries, testimony, witness statements, or responses to requests for information that You produced to any foreign governmental agency or foreign grand jury, including any Documents produced as part of any plea bargain negotiations or in connection with any application for or grant of amnesty.

Request No. 35

All Documents relating to proffers, transcripts, notes, summaries, testimony, witness statements, or responses to requests for information that You produced or were seized by any foreign governmental agency in Italy, Canada, the European Union, India, Hong Kong, Hungary, Thailand, Malaysia, Korea, Japan, Singapore, China or Taiwan.

Request No. 36

Copies of all subpoenas or requests for production of Documents issued by any foreign governmental or legislative investigative body referring or relating to CRT or CRT Products during the relevant period.

Request No. 37

All Documents relating to, prepared for, submitted to, or received by You as a result of any investigation or research conducted either internally or by an outside entity with respect to price fixing, price manipulation or manipulation of production or capacity of CRT or CRT Products.

Request No. 38

All Documents relating to the termination, retirement, discipline, discharge or suspension of any director, officer, or Employee who had any responsibility relating to the production, manufacture, distribution, marketing, pricing or sale of CRT or CRT Products.

Request No. 39

All Documents referring to or relating to plaintiffs in this litigation.

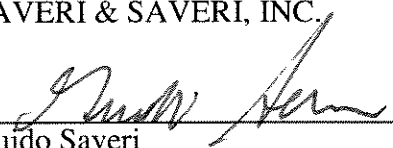
Request No. 40

All Documents that You claim would have been available to the plaintiffs or any purchaser of CRT or CRT Products prior to November 2007, which should have caused the plaintiffs or any such purchaser to investigate whether there was a conspiracy to fix, raise, maintain or stabilize the prices or to control or restrict sales of CRT or CRT Products in the United States.

DATED: March 12, 2010

Respectfully submitted,
SAVERI & SAVERI, INC.

By



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*Interim Lead Counsel for
Direct Purchaser Plaintiffs*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

Master File No. 07-5944 SC

MDL No. 1917

**DIRECT PURCHASER PLAINTIFFS'
FIRST SET OF INTERROGATORIES**

This Document Relates to:
ALL DIRECT PURCHASER ACTIONS

Judge: Hon. Samuel Conti

DIRECT PURCHASER PLAINTIFFS' FIRST SET OF INTERROGATORIES;
Master File No. 07-5944 SC

Pursuant to Federal Rules of Civil Procedure 33, direct purchaser plaintiffs, through their counsel, request that each defendant answer the following interrogatories within thirty (30) days of service and supplement its interrogatory answers, as necessary, to comply with Federal Rule of Civil Procedure 26(e).

DEFINITIONS

1. The term "Defendant" means defendants named in the Direct Purchaser Plaintiffs' Consolidated Amended Complaint and their present or former employees, officers, directors, agents, predecessors, successors, parents, subsidiaries, affiliates, joint ventures, or any other person acting on their behalf.

2. The term "Person" or "Persons" is defined to mean any natural person, corporation, or partnership, proprietorship, joint venture, or any business, legal, or government entity, organization, or association.

3. The terms "You," "Your," and "Yourself" means defendant as defined herein.

4. The term "Document" includes all documents and electronically stored information as defined in Federal Rule of Civil Procedure 34(a). A draft or non-identical copy is a separate document within the meaning of this term.

5. The term "Employee" means any individual currently in the employ of, or at any time employed by, or acting as the agent of a defendant as defined herein.

6. The term "CRT" means cathode ray tube(s) and "CRT Products" means products containing cathode ray tubes.

7. Unless otherwise noted, the term "Relevant Time Period" means the period from January 1, 1995 through the present.

8. The term "Communication" means without limitation, oral or written communications of any kind, such as electronic communications, e-mails, facsimiles, telephone communications, correspondence, exchange of written or recorded information, or face-to-face meetings. The phrase "communication between" is defined to include instances where one party addresses the other party but the other party does not necessarily respond.

INTERROGATORIES

Interrogatory No. 1

State the name, address, and relationship to You of each person who prepared or assisted in the preparation of the responses to these interrogatories. (Do not identify anyone who simply typed or reproduced the responses.)

Interrogatory No. 2

Identify each current and former employee who has or had any managerial responsibility for recommending, reviewing, setting or approving prices, bids, quotes, or rebates for Your CRT and/or CRT Products during the Relevant Time Period. For each person identified, include his or her name, address, title, location, the division or unit of the company where he or she worked, and a description of his or her responsibilities throughout the Relevant Time Period.

Interrogatory No. 3

Identify each employee with pricing authority who attended any trade association during the Relevant Time Period relating to CRT and/or CRT Products and state with respect to each employee:

- (a) the trade association attended;
- (b) the dates of attendance;
- (c) any offices, chairs or committee positions held in each of the trade associations; and
- (d) the dates which those offices, chairs or committee positions were held.

Interrogatory No. 4

Identify each actual or proposed agreement between You and any producer of CRT and/or CRT Products, including the named defendants in this coordinated proceeding, relating to prices, pricing, production or inventory levels of CRT and/or CRT Products during the relevant time period. Agreements shall include drafts. For every such actual or proposed agreement state:

- (a) the identity of the participants and all persons with knowledge thereof;
- (b) when such agreement was entered into;
- (c) where such agreement was entered into;

(d) the terms of such agreement; and

(e) when, how and which of your officers, directors or employees discovered the existence of such agreement.

Interrogatory No. 5

Identify any meeting or communication between You and other producers of CRT and/or CRT Products during the Relevant Time Period, including the named Defendants in this coordinated proceeding, regarding CRT and/or CRT Product pricing, price increase announcements, terms or conditions of sales, profit margins or market share, production levels, inventory, customers, auctions, reverse auctions, dynamic bidding events, or sales, and for each such meeting or communication:

(a) provide the date and location of the meeting or communication;

(b) identify the person(s) who initiated, called, organized, attended or participated in the meeting or communication;

(c) describe the subject matter discussed and any information you provided or received;

(d) describe every action taken by you as a result of the meeting or communication; and

(e) identify all persons with knowledge relating to the meeting or communication.

Interrogatory No. 6

Identify each instance during the Relevant Time Period in which You or any other producer of CRT and/or CRT Products, including the named defendants in this coordinated proceeding, instituted a price increase or decrease for CRT and/or CRT Products, and for each such instance:

(a) when such price increase or decrease was announced publicly;

(b) when such price increase or decrease was implemented;

(c) the amount of the price increase or decrease;

(d) whether such price increase or decrease was withdrawn;

(e) each person with responsibility for implementing such price increase or decrease or its withdrawal; and

(f) any explanation given for such price increase or decrease or withdrawal.

Interrogatory No. 7

Identify and describe all joint ventures, partnerships or other cooperative business relationships, during the Relevant Time Period, relating to CRT and/or CRT Products between You and any other CRT or CRT Products producer.

Interrogatory No. 8

Identify every channel used by You to sell, market, or distribute CRT and/or CRT Products during the Relevant Time Period. If You used different channels at different points within the Relevant Time Period, identify when You used each channel to sell, market, or distribute CRT and/or CRT Products.

Interrogatory No. 9

Identify every channel used by you to purchase CRT and/or CRT Products during the Relevant Time Period. If You used different channels at different points within the Relevant Time Period, identify when You used each channel to purchase CRT or CRT Products.

Interrogatory No. 10

Identify the CRT and/or CRT Products that You manufactured or produced for each month within the Relevant Time Period, including the brand name, product number, and intended use.

Interrogatory No. 11

Identify the CRT and/or CRT Products You sold, marketed, or distributed for each month within the Relevant Time Period, including the brand name, product number, and intended use.

Interrogatory No. 12

Provide Your sales of CRT and/or CRT Products to the United States and globally for each month from January 1, 1991 to the present. For each month during this period, state the volume of sales, the U.S. dollar value of sales, the unit sale price, the per unit cost to produce CRT and/or CRT Products, the per unit cost to distribute CRT and/or CRT Products (including overseas freight,

1 tariff, customs, duties, inland freight, storage, insurance, dealer commissions), and the per unit
2 profit earned.

3 **Interrogatory No. 13**

4 If You offered different prices to different markets, or on a spot market versus contract
5 basis, during the Relevant Time Period, so indicate in the statistical data supplied in response to
6 Interrogatory No. 6.

7 **Interrogatory No. 14**

8 Provide Your aggregate purchases (in both number of units and revenue in U.S. dollars) of
9 CRT and/or CRT Products for each month from January 1, 1991 to the present.

10 **Interrogatory No. 15**

11 Provide Your aggregate purchases (in units and U.S. dollars) of CRT or CRT Products from
12 each of the other named defendants in this coordinated proceeding, for the purpose of resale, for
13 each month during from January 1, 1991 to the present.

14 **Interrogatory No. 16**

15 State whether any documents or information responsive to this set of interrogatories were
16 destroyed, discarded, erased, deleted, purged, or otherwise lost. If Your answer is in any way in
17 the affirmative:

- 18 (a) describe in detail the contents of each such document or information and the
19 date it was destroyed, discarded, erased, deleted, purged or lost;
20 (b) identify each person who had any role or responsibility in destroying,
21 discarding, erasing, purging, deleting or losing of each such document or
22 information; and
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(c) describe in detail the circumstances under which each such document or information was destroyed, discarded, erased, deleted, purged, or lost.

DATED: March 12, 2010

Respectfully submitted,

By: 

Guido Saveri (22349)
R. Alexander Saveri (173102)
Geoffrey C. Rushing (126910)
Cadio Zirpoli (179108)
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*Interim Lead Counsel for
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EXHIBIT 4

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8 *Interim Lead Counsel for*
 Direct Purchaser Plaintiffs
9

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 IN RE: CATHODE RAY TUBE (CRT)
14 ANTITRUST LITIGATION

Master File No. 07-5944 SC

MDL No. 1917

15 **PROOF OF SERVICE**

16 This Document Relates to:

Judge: Hon. Samuel Conti

17 ALL DIRECT PURCHASER ACTIONS
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PROOF OF SERVICE
Master File No. 07-5944 SC

1 I am employed in the County of San Francisco, State of California. I am over the age of
2 18 years and not a party to the within action. My business address is 706 Sansome Street, San
3 Francisco, California 94111.

4 On March 12, 2010, I caused to be served a true and correct copy of the following
5 documents:

6 **DIRECT PURCHASER PLAINTIFFS' FIRST SET OF REQUESTS FOR PRODUCTION OF**
7 **DOCUMENTS;**

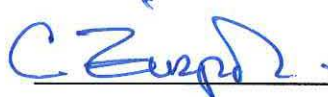
8 **DIRECT PURCHASER PLAINTIFFS' SECOND SET OF DOCUMENT REQUESTS FOR**
9 **PRODUCTION OF DOCUMENTS;**

10 **DIRECT PURCHASER PLAINTIFFS' FIRST SET OF INTERROGATORIES;**

11 **PROOF OF SERVICE**

12 via hand delivery by a courier and via electronic mail as set forth on the attached service list.

13 I declare under penalty of perjury that the foregoing is true and correct. Executed on this
14 12th day of March, 2010.

15 
16 _____

17 Cadio Zirpoli
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Facsimile: (415) 217-6813

*Interim Lead Counsel for
Direct Purchaser Plaintiffs*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

Master File No. 07-5944 SC

MDL No. 1917

**PLAINTIFF HAWEL A. HAWEL'S,
d/b/a CITY ELECTRONICS, SECOND
SET OF INTERROGATORIES
DIRECTED TO ALL DEFENDANTS**

This Document Relates to:

ALL DIRECT PURCHASER ACTIONS

Judge: Hon. Samuel Conti

Pursuant to Federal Rules of Civil Procedure 33, direct purchaser plaintiffs, through their counsel, request that each defendant answer the following interrogatories within thirty (30) days of service and supplement its interrogatory answers, as necessary, to comply with Federal Rule of Civil Procedure 26(e).

DEFINITIONS

1. The term “Defendant” means defendants named in the Direct Purchaser Plaintiffs’ Consolidated Amended Complaint and their present or former employees, officers, directors, agents, predecessors, successors, parents, subsidiaries, affiliates, joint ventures, or any other person acting on their behalf.

2. The term “Person” or “Persons” is defined to mean any natural person, corporation, or partnership, proprietorship, joint venture, or any business, legal, or government entity, organization, or association.

3. The terms “You,” “Your,” and “Yourself” means defendant as defined herein.

4. The term “Document” includes all documents and electronically stored information as defined in Federal Rule of Civil Procedure 34(a). A draft or non-identical copy is a separate document within the meaning of this term.

5. The term “Employee” means any individual currently in the employ of, or at any time employed by, or acting as the agent of a defendant as defined herein.

6. The term “CRT” means cathode ray tube(s) and “CRT Products” means products containing cathode ray tubes.

7. Unless otherwise noted, the term “Relevant Time Period” means the period from January 1, 1995 through the present.

8. The term “Communication” means without limitation, oral or written communications of any kind, such as electronic communications, e-mails, facsimiles, telephone communications, correspondence, exchange of written or recorded information, or face-to-face meetings. The phrase “communication between” is defined to include instances where one party addresses the other party but the other party does not necessarily respond.

INTERROGATORIES

Interrogatory No. 17

State in detail the factual basis for YOUR contention that the statute of limitations bars all or part of plaintiffs' claims (including identifying all documents and witnesses supporting YOUR contention).

Interrogatory No. 18

If YOU contend that plaintiffs (or any of them) had actual or constructive notice of their claims before November 26, 2003, state in detail the factual basis for YOUR contention (including identifying all documents and witnesses supporting YOUR contention).

Interrogatory No. 19

State in detail the factual basis for YOUR contention that YOU withdrew from the conspiracy alleged in Plaintiffs' complaint (including identifying all documents and witnesses supporting YOUR contention).

Interrogatory No. 20

If YOU contend that plaintiffs (or any of them) lack standing to pursue the claims alleged in their complaint, state in detail the factual basis for YOUR contention (including identifying all documents and witnesses supporting YOUR contention).

DATED: September 22, 2011

By: /s/ Guido Saveri
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Crt.457

EXHIBIT 6

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10 *Interim Lead Counsel for*
11 *Direct Purchaser Plaintiffs*

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN FRANCISCO DIVISION**

14
15 IN RE: CATHODE RAY TUBE (CRT)
16 ANTITRUST LITIGATION

Master File No. 07-5944-SC

MDL No. 1917

17 This Document Relates To:
18 ALL DIRECT PURCHASER ACTIONS

DIRECT PURCHASER PLAINTIFFS'
THIRD SET OF REQUESTS FOR
PRODUCTION OF DOCUMENTS

Judge: Hon. Samuel Conti

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, direct purchaser plaintiffs hereby request that each defendant respond to each of the following requests for production of documents and produce all responsive documents for inspection and copying within 30 days.

DEFINITIONS

As used herein, the following terms are defined as follows:

1. “All” should be construed to include the collective as well as the singular and shall mean “each,” “any,” and “every.”

2. “Any” shall be construed to mean “any and all.”

3. “Defendant” means defendants named in the Direct Purchaser Plaintiffs’ Consolidated Amended Complaint and their present or former employees, officers, directors, agents, predecessors, successors, parents, subsidiaries, affiliates, joint ventures, or any other person acting on their behalf.

4. “Document” means without limitation, the original and all non-identical copies of all items subject to discovery under Rule 34 of the Federal Rules of Civil Procedure. This definition includes, without limitation, letters, correspondence, memoranda, legal pleadings, calendars, diaries, travel records, summaries, records of telephone conversations, telegrams, notes, reports, compilations, notebooks, work papers, graphs, charts, blueprints, books, pamphlets, brochures, circulars, manuals, instructions, ledgers, drawings, sketches, photographs, videotapes, audiotapes, film and sound reproductions, e-mails, internal or external web sites, compact discs, computer files and disks, sales, advertising and promotional literature, agreements, stored recordings, minutes or other records of meetings, all written or graphic records or representations of any kind, and all mechanical or electronic data, records or representations of any kind.

5. “Electronic data” includes, without limitation, the following:

a. activity listings of electronic mail receipts and/or transmittals;

b. output resulting from the use of any software program, including, without limitation, word processing documents, spreadsheets, database files, charts, graphs and outlines, electronic mail, AOL Instant MessengerTM (or similar program) or bulletin board programs, operating systems, source code, PRF files, PRC files, batch files, ASCII files, and all miscellaneous

1 media on which they reside and regardless of whether said electronic data exists in an active file, a
2 deleted file, or file fragment;

3 c. any and all items stored on computer memories, hard disks, floppy disks, CD-
4 ROM, magnetic tape, microfiche, or in any other vehicle for digital data storage and/or transmittal,
5 such as, but not limited to, a personal digital assistant, *e.g.*, Palm Pilot, R.I.M., Blackberry, or similar
6 device, and file folder tabs, and/or containers and labels appended to, or relating to, any physical
7 storage device associated with each original and/or copy of all documents requested herein.

8 6. "Employee" means, without limitation, any current or former officer, director,
9 executive, manager, secretary, staff member, messenger, agent or other person who is or was
10 employed by a defendant.

11 7. "Including" is used to emphasize certain types of documents requested and should not
12 be construed as limiting the request in any way.

13 8. "Or" and "and" should be construed so as to require the broadest possible response.
14 If, for example, a request calls for information about "A or B" or "A and B," you should produce all
15 information about A and all information about B, as well as all information about A and B
16 collectively. In other words, "or" and "and" should be read as "and/or."

17 9. "Relating to," "referring to," "regarding," or "with respect to" mean, without
18 limitation, the following concepts: discussing, describing, reflecting, dealing with, pertaining to,
19 analyzing, evaluating, estimating, constituting, studying, surveying, projecting, assessing, recording,
20 summarizing, criticizing, reporting, commenting, or otherwise involving, in whole or in part.

21 10. "CRT" means cathode ray tube(s) and "CRT products" means products containing
22 cathode ray tubes.

23 11. "You," "your," or "your company" mean the responding defendant, its predecessors,
24 successors, subsidiaries, departments, divisions, and/or affiliates, including without limitation any
25 organization or entity which the responding defendant manages or controls, together with all present
26 and former directors, officers, employees, agents, representatives or any persons acting or purporting
27 to act on behalf of the responding defendant.
28

INSTRUCTIONS

1
2 1. Unless otherwise noted, the relevant time period for these document requests is
3 January 1, 1995 through the present (the “relevant time period”). These document requests seek all
4 responsive documents created or generated during the relevant time period, as well as responsive
5 documents created or generated outside the relevant time period, but which contain information
6 concerning the relevant time period.

7 2. To the extent documents responsive to any of these document requests have already
8 been produced to direct purchaser plaintiffs, there is no need to produce those documents a second
9 time. Instead, please provide the bates numbers of any responsive documents already produced.

10 3. Pursuant to Rule 26(e) of the Federal Rules of Civil Procedure, these document
11 requests are continuing in nature so that if you subsequently discover or obtain possession, custody,
12 or control of any document covered by these requests, you shall promptly make any such document
13 available to direct purchaser plaintiffs.

14 4. In producing documents and other materials, you are to furnish all documents or
15 things in your possession, custody or control, regardless of whether such documents or materials are
16 possessed directly by you or your employees, agents, parent company(ies), subsidiaries, affiliates,
17 investigators or by your attorneys or their employees, agents or investigators.

18 5. Pursuant to Rule 34(b) of the Federal Rules of Civil Procedure, all documents shall be
19 produced in the same order as they are kept or maintained by you in the ordinary course of your
20 business. All documents shall be produced in the file folder, envelope or other container in which
21 the documents are kept or maintained. If for any reason the container cannot be produced, you
22 should produce copies of all labels or other identifying marks which may be present on the
23 container.

24 6. Documents shall be produced in such fashion as to identify the department, branch or
25 office in whose possession they were located and, where applicable, the natural person in whose
26 possession they were found and the business address of each document(s) custodian(s).

1 7. Documents attached to one another should not be separated. If any portion of any
2 document is responsive to any portion of the document requests below, then the entire document
3 must be produced.

4 8. If a document once existed and subsequently has been lost, destroyed or is otherwise
5 missing, you should provide sufficient information to identify the document and state, in writing, the
6 details, including whether the document:

- 7 a. is lost or missing;
- 8 b. has been destroyed and, if so, by whom at whose request;
- 9 c. has been transferred or delivered, voluntarily or involuntarily, to another
10 person or entity and at whose request; and/or
- 11 d. has been otherwise disposed of.

12 9. In each instance in which a document once existed and subsequently is lost, missing,
13 destroyed, or otherwise disposed of, explain the circumstances surrounding the disposition of the
14 document, including, but not limited to:

- 15 a. the identity of the person or entity who last possessed the document;
- 16 b. the date or approximate date of the documents disposition; and
- 17 c. the identity of all persons who have or had knowledge of the document's
18 contents.

19 10. If any document responsive to any of these requests is privileged, and the document
20 or any portion of the document requested is withheld based on a claim of privilege pursuant to Rule
21 26(b)(5) of the Federal Rules of Civil Procedure, provide a statement of the claim of privilege and all
22 facts relied upon in support of that claim, including the following information:

- 23 a. the reason for withholding the document;
- 24 b. the date of such communication;
- 25 c. the medium of such communication;
- 26 d. the general subject matter of such communication (such description shall not
27 be considered a waiver of your claimed privilege);

1 e. the identity of any document that was the subject of such communication and
2 the present location of any such document;

3 f. the identity of the persons involved in such communication;

4 g. the identity of any document which records, refers, or relates to such
5 communication and present location of any such document;

6 h. the paragraph or paragraphs of these requests for production of documents to
7 which such information is responsive.

8 11. Each document requested herein should be produced in its entirety and without
9 deletion, redaction or excisions, except as qualified by Instruction 10 above, regardless of whether
10 you consider the entire document or only part of it to be relevant or responsive to these document
11 requests. If you have redacted any portion of a document, stamp the word "REDACTED" beside the
12 redacted information on each page of the document which you have redacted. Any redactions to
13 documents produced should be identified in accordance with Instruction 10 above.

14 12. All documents produced should be Bates numbered sequentially, with a unique
15 number on each page, and with a prefix identifying the party producing the document.

16 13. Pursuant to Federal Rule of Civil Procedure 34(b)(1)(C), the responding party must
17 produce any electronically stored information ("ESI") in its native format. If ESI in its native format
18 can only be accessed by proprietary or legacy software, the responding party must meet and confer
19 with plaintiffs' lead counsel so the receiving party shall receive all information and software
20 necessary to access the ESI. Subject to the right under Rule 34(a) to sample, ESI from proprietary
21 databases may be produced in Excel or other mutually agreeable format. ESI is to be produced in
22 Tagged Image File Format ("TIFF", or ".TIF") files. TIFF files should be produced in single page
23 format along with an image load file (DTI file) indicating document breaks. The image load file
24 should be compatible with Summation and Concordance. Load files created in the process of
25 converting ESI from the electronic format of the application in which the ESI is normally created,
26 viewed, and/or modified ("metadata load file") must also be produced. The metadata load files
27 should contain any and all metadata identified within the data, including document text, file name,
28 last accessed date and time, file created date and time, last modified date and time, and original path

of document. In the case of email, the load file should also include additional metadata including author, recipient, cc, bcc, date and time sent, and date and time received. Load files should also contain a link to Excel spreadsheets and Access databases in native format and the Excel and Access files should be included in the production in native form in a directory structure that is identical to the target of the link. Files should be accompanied by a reference file containing the MD5 hash value for each file. Load files should provide all parent/child or parent/sibling relationships. Family ranges should also be provided. Other databases are to be produced in reasonably usable form. Audio files are to be produced in MPEG-1 Audio Layer 3 ("MP3") format and should be accompanied by a reference file containing the MD5 hash value for each file. Bates numbers should be electronically branded to each page of ESI produced. Gaps in bates numbers produced should be explained in a privilege log. Please provide an index or other means to determine which files came from which office and/or person.

DOCUMENT REQUESTS

Request No. 1

All Documents Identified (or otherwise referred to) in Your responses to Plaintiff Hawel A. Hawel's, d/b/a/ City Electronics, Second Set of Interrogatories Directed to All Defendants.

Request No. 2

All Documents Identified (or otherwise referred to) in Your responses to Direct Purchaser Plaintiffs' First Set of Interrogatories.

DATED: September 22, 2011

By: /s/ Guido Saveri
 Guido Saveri (22349)
 R. Alexander Saveri (173102)
 Geoffrey C. Rushing (126910)
 Cadio Zirpoli (179108)
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*Interim Lead Counsel for
 Direct Purchaser Plaintiffs*

CRT.458

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15 *Interim Lead Counsel for*
16 *Direct Purchaser Plaintiffs*

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN FRANCISCO DIVISION**

15 IN RE: CATHODE RAY TUBE (CRT)
16 ANTITRUST LITIGATION

Master File No. 07-5944-SC

MDL No. 1917

17 This Document Relates To:

PROOF OF SERVICE

18 ALL DIRECT PURCHASER ACTIONS

Judge: Hon. Samuel Conti

1 I, Melissa Shapiro, declare that I am over the age of 18 years and not a party to the within
2 action. I am employed in the County of San Francisco, State of California; my business address is
3 706 Sansome Street, San Francisco, California 94111.

4 I declare under the penalty of perjury that, on September 22, 2011, I served a true and correct
5 copy of the following documents:

6
7 **PLAINTIFF HAWEL A. HAWEL'S, d/b/a CITY ELECTRONICS, SECOND SET OF**
8 **INTERROGATORIES DIRECTED TO ALL DEFENDANTS;**

9 **DIRECT PURCHASER PLAINTIFFS' THIRD SET OF REQUESTS FOR**
10 **PRODUCTION OF DOCUMENTS; and**

11 **PROOF OF SERVICE**

12 via electronic mail to:

13 **SEE ATTACHED SERVICE LIST**

14 I declare under penalty of perjury that the foregoing is true and correct. Executed on this
15 22nd day of September, 2011.

16 /s/ Melissa Shapiro

17 Melissa Shapiro

18 Crt.461

In re: Cathode Ray Tube (CRT) Antitrust Litigation – MDL No. 1917

SERVICE LIST

<p>Jeffrey L. Kessler jkessler@dl.com DEWEY LEBOEUF LLP 1301 Avenue of the Americas New York, NY 10019 Tel: (212) 259-8000 Fax: (212) 259-7013</p> <p>David L. Yohai david.yohai@weil.com WEIL, GOTSHAL & MANGES LLP 767 Fifth Avenue New York, New York 10153</p> <p><i>Counsel for Defendants Panasonic Corporation, Panasonic Corp. of North America, and MT Picture Display Co., Ltd.</i></p>	<p>Samuel L. Miller srmiller@sidley.com SIDLEY AUSTIN, LLP 555 California Street San Francisco, CA 94104 Tel: (415) 772-1200 Fax: (415) 772-7400</p> <p>Ronald C. Redcay Ronald.Redcay@aporter.com ARNOLD & PORTER LLP 44th Floor 777 South Figueroa Street Los Angeles, CA 90017-5844</p> <p><i>Counsel for Defendants LG Electronics, Inc., LG Electronics USA, Inc., and LG Electronics Taiwan Taipei Co., Ltd.</i></p>
<p>John Taladay john.taladay@bakerbotts.com BAKER BOTTS LLP The Warner 1299 Pennsylvania Ave., NW Washington, D.C. 20004-2400 Tel: (202) 639-7909 Fax: (202) 639-1165</p> <p><i>Counsel for Defendants Koninklijke Philips Electronics N.V., Philips Electronics North America Corporation, Philips Electronics Industries (Taiwan), Ltd., Philips da Amazonia Industria Electronica Ltda.</i></p>	<p>Terrence A. Callan Terrence.callan@pillsburylaw.com PILLSBURY WINTHROP SHAW PITTMAN, LLP 50 Fremont Street P.O. Box 7880 San Francisco, CA 94120-7880 Tel: (415) 983-1000 Fax: (415) 983-1200</p> <p><i>Counsel for Defendants IRICO Display Devices Co., Ltd., IRICO Group Corporation, and IRICO Group Electronics Co., Ltd.</i></p>
<p>Scott A. Stempel sstempel@morganlewis.com Michelle Park Chiu mchiu@morganlewis.com MORGAN LEWIS & BOCKIUS, LLP One Market, Spear Street Tower San Francisco, CA 94105</p> <p><i>Counsel for Defendants Hitachi, Ltd., Hitachi Displays, Ltd., Hitachi Asia, Ltd., Hitachi America, Ltd., and Hitachi Electronic Devices (USA), Inc.</i></p>	<p>Patrick J. Ahern Patrick.j.ahern@bakernet.com BAKER & McKENZIE LLP 130 East Randolph Drive Chicago, IL 60601 Tel: (312) 861-8000 Fax: (312) 861-2899</p> <p><i>Counsel for Defendant Tatung Company of America</i></p>

In re: Cathode Ray Tube (CRT) Antitrust Litigation – MDL No. 1917**SERVICE LIST**

<p>Kate S. McMillan Kate.mcmillan@freshfields.com FRESHFIELDS BRUCKHAUS & DERINGER US, LLP 701 Pennsylvania Avenue, NW Suite 600 Washington, DC 20004 Tel: (202) 777-4566 Fax: (202) 777-4555</p> <p><i>Counsel for Defendant Beijing Matsushita Color CRT Co., Ltd.</i></p>	<p>Lucius B. Lau alau@whitecase.com WHITE & CASE, LLP 701 13th Street, N.W. Washington, DC 20005 Tel: (202) 626-3600 Fax: (202) 639-9355</p> <p><i>Counsel for Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Information Systems, Inc., Toshiba America Consumer Products, L.L.C., and Toshiba America Electronic Components, Inc.</i></p>
<p>Ian Simmons isimmons@omm.com Benjamin G. Bradshaw bbradshaw@omm.com O'Melveny & Myers LLP 1625 Eye Street, NW Washington, DC 20006-4001 Tel: (202) 383-5163 Fax: (202) 383-5414</p> <p><i>Counsel for Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc.</i></p>	<p>James L. McGinnis jmcginnis@sheppardmullin.com SHEPPARD MULLIN RICHTER & HAMPTON, LLP Four Embarcadero Center 17th Floor San Francisco, CA 94111 Tel: (415) 434-9100 Fax: (415) 434-3947</p> <p><i>Counsel for Defendants Samsung SDI America, Inc., Samsung SDI Co., Ltd., Samsung SDI Mexico S.A. de C.V., Samsung SDI Brasil Ltda., Shenzhen Samsung SDI Co., Ltd., Tianjin Samsung SDI Co., Ltd., and Samsung SDI (Malaysia) Sdn. Bhd.</i></p>
<p>Joel S. Sanders jsanders@gibsondunn.com GIBSON, DUNN & CRUTCHER 555 Mission Street Suite 3000 San Francisco, CA 94105 Tel: (415) 393-8200 Fax: (415) 393-8200</p> <p><i>Counsel for Defendants Chunghwa Picture Tubes, Ltd. and Chunghwa Picture Tubes (Malaysia)</i></p>	<p>Michael R. Lazerwitz mlazerwitz@cgsh.com CLEARY GOTTLIEB STEEN & HAMILTON LLP 2000 Pennsylvania Avenue, NW Suite 9000 Washington, DC 20006 Tel: (202) 974-1500 Fax: (202) 974-1999</p> <p><i>Counsel for Defendant LP Displays International, Ltd.</i></p>

In re: Cathode Ray Tube (CRT) Antitrust Litigation – MDL No. 1917

SERVICE LIST

<p>Lidia Maher Lidia.maher@usdoj.gov Tai S. Milder Tai.milder@usdoj.gov UNITED STATES DEPARTMENT OF JUSTICE – ANTITRUST DIVISION 450 Golden Gate Avenue Room 10-0101, Box 36046 San Francisco, CA 94102 Tel: (415) 436-6660 Fax: (415) 436-6687</p>	<p>Mario Alioto malieto@tatp.com Lauren Russel lrussel@tatp.com TRUMP, ALIOTO, TRUMP & PRESCOTT LLP 2280 Union Street San Francisco, CA 94123 Tel: (415) 563-7200 Fax: (415) 346-0679</p> <p><i>Counsel for Indirect Purchaser Plaintiffs</i></p>
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EXHIBIT 8

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February 14, 2018

VIA EMAIL

John Taladay
Baker Botts LLP
The Warner
1299 Pennsylvania Ave., NW
Washington, D.C. 20004-2400
john.taladay@bakerbotts.com

Re: *In re Cathode Ray Tube (CRT) Antitrust Litigation* – MDL No. 1917,
Master File No. 07-CV-5944-JST

Dear John:

As you know, there are five sets of discovery pending against your clients, Defendants Irico Display Devices Co., Ltd. and Irico Group Corporation:

- Direct Purchaser Plaintiffs' First Set of Requests for Production of Documents (dated June 4, 2008; served Mar. 12, 2010);
- Direct Purchaser Plaintiffs' Second Set of Requests for Production of Documents (served Mar. 12, 2010);
- Direct Purchaser Plaintiffs' First Set of Interrogatories (served Mar. 12, 2010);
- [Direct Purchaser] Plaintiff Hawel A. Hawel's, d/b/a City Electronics, Second Set of Interrogatories to All Defendants (served Sept. 22, 2011); and
- Direct Purchaser Plaintiffs' Third Set of Requests for Production of Documents (served Sept. 22, 2011).

Now that the case has been reopened, your clients must answer this discovery (and produce documents). The deadlines for your clients' responses passed long ago. Therefore, 1) your clients have waived any objections they may have had to the discovery; and 2) their responses and document production are due immediately.

Plaintiffs wish to avoid motion practice regarding this discovery, but require prompt and good faith responses. Please let us know by February 21, 2018, what you propose in terms of a schedule for your clients to provide responses and to produce documents.

I have enclosed copies of the discovery for your convenience. The certificates of service for this discovery were attached to the Saveri Declaration in Support of Plaintiffs'

John Taladay

2/14/2018

Page 2

Opposition to the Irico Defendants' Motion to Set Aside Default, ECF No. 5228-1 (Dec. 15, 2017) as exhibits 1 and 2.

Very truly yours,

s/ R. Alexander Saveri

R. Alexander Saveri

Cc: Stuart Plunkett
Geoffrey C. Rushing

Enclosures.

crt.683

EXHIBIT 9

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February 20, 2018

John Taladay
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VIA E-MAIL (RICK@SAVERI.COM)

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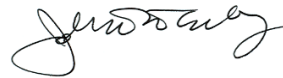
Re: *In re Cathode Ray Tube (CRT) Antitrust Litigation*, MDL No. 1917, Master File
No. 07-CV-944-JST

Dear Rick:

I write in response to your letters of February 14 and 15, 2018. We disagree with your interpretation of the Court's February 1 order as allowing full discovery at this point, particularly given the Court's statement that "further proceedings might demonstrate that the [FSIA] defense applies and the Court lacks jurisdiction" and that "DPPs are free to undertake *jurisdictional* discovery." We also disagree with your assertion that Irico Defendants have waived any discovery objections and your asserted deadline to answer the complaint.

We are, however, open to meet and confer promptly regarding an appropriate schedule for discovery responses and responsive pleadings. To that end, please confirm that you have no other discovery requests to Irico Defendants outstanding in addition to the five sets attached to your February 14 letter. Pursuant to our February 15th phone call, we also look forward to receiving your proposal for a joint request to hold a case management conference.

Sincerely,



John Taladay

JT

cc: Geoffrey C. Rushing
Erik Koons
Stuart Plunkett

EXHIBIT 10

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706 SANSOME STREET
SAN FRANCISCO, CALIFORNIA 94111
TELEPHONE: (415) 217-6810
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March 6, 2018

VIA EMAIL

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john.taladay@bakerbotts.com

Re: *In re Cathode Ray Tube (CRT) Antitrust Litigation* – MDL No. 1917,
Master File No. 07-CV-5944-JST

Dear John:

This letter memorializes our meet and confer call with you today regarding the responses of your clients, Defendants Irico Display Devices Co., Ltd. and Irico Group Corporation, to Direct Purchaser Plaintiffs' complaint and discovery, as well as other matters.

Jurisdictional Discovery

You indicated that your clients would respond to the jurisdictional discovery Plaintiffs propounded on March 5, 2018. You estimated that your clients would need six months to substantially respond to the discovery. I offered a 30-day extension, or 60 days from March 5.

In addition, I informed you that Plaintiffs intend to notice depositions pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure for the purposes of jurisdictional discovery. Plaintiffs would like to consult with you regarding dates—likely in May and June, 2018—as required by paragraph IV.C of the Court's Order re Discovery and Case Management Protocol (ECF No. 1128) and Civil Local Rule 30-1.

Other Outstanding Discovery

You indicated that your clients would not now respond to the other outstanding discovery, i.e. the interrogatories and requests for production of documents listed in and transmitted by my letter to you dated February 14, 2018. I understand your position to be that the Court's Order Setting Aside Default (ECF No. 5240) does not require your clients to respond to any discovery other than related to jurisdiction until ordered to do so by the Court. Please inform me if this is incorrect. In response, Plaintiffs noted that the Court did not find sufficient evidence of your clients' immunity on the record before it,

John Taladay

3/6/2018

Page 2

and ordered the case reopened. Furthermore, Plaintiffs noted that the Order did not bifurcate discovery or impose a stay of any kind.

Response to Direct Purchaser Complaint

You indicated that your clients would not now respond to Direct Purchaser Plaintiffs' Consolidated Amended Complaint (ECF No. 436). I understand your position to be that your clients will not respond to the complaint until ordered to do so by the Court. Please inform me if this is incorrect.

Plaintiffs note your clients' concern that they not submit to the jurisdiction of the Court unless and until it affirms that it has subject matter jurisdiction. However, as your clients noted in their reply brief in support of their motion to set aside default, "a waiver [of immunity] can occur *only* when the foreign sovereign fails to assert the defense in a 'responsive pleading.'" ECF No. 5229 at 14 (citing *Joseph v. Office of Consulate General of Nigeria*, 830 F.2d 1018, 1022 (9th Cir. 1987)) (emphasis in original). Based on your clients' reasoning, they should not be concerned that answering the complaint would waive any claims of immunity that would deprive the Court of subject matter jurisdiction over them, provided they assert the FSIA defense.

Request for Case Management Conference

The parties previously exchanged a draft stipulated request for case management conference and discussed potential dates approximately 45 days out. Due to Judge Tigar's unavailability and scheduling conflicts on certain Wednesdays (the day on which CMCs are scheduled), I agreed to contact Judge Tigar's courtroom deputy to ask about availability on the afternoon of Tuesday, April 17, 2018. I will follow up with you when we hear back about that date.

Very truly yours,

s/ R. Alexander Saveri

R. Alexander Saveri

Cc: Erik T. Koons
Thomas E. Carter
Ashley Eickhof
Stuart C. Plunkett
Kaylee Yang
Geoffrey C. Rushing
Matthew D. Heaphy

EXHIBIT 11

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March 13, 2018

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VIA E-MAIL (RICK@SAVERI.COM)

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Saveri & Saveri, Inc.
706 Sansome Street
San Francisco, CA 94111

Re: In re Cathode Ray Tube (CRT) Antitrust Litigation, MDL No. 1917, Master File
No. 07-CV-944-JST

Dear Rick:

I write in response to your letter of March 6, 2018 and to clarify the Irico defendants' ("Irico") position on the issues discussed during our meet and confer call.

Regarding your discovery requests propounded on March 5, we anticipate requiring approximately six months to respond fulsomely to these requests. As discussed, this process is complicated by the fact that the information sought resides in China, and will consist of foreign language documents that will need to be reviewed by native Chinese speakers in order to determine responsiveness. However, Irico will begin producing responsive materials within 60 days, and will continue to produce materials on a rolling basis to show Irico's good faith production efforts. Irico will serve written responses to the DPPs' March 5, 2018 requests within 60 days of service as suggested on our call.

With respect to your intent to notice depositions specific to jurisdictional issues, we are happy to meet and confer regarding any jurisdictional discovery, including depositions.

Regarding the discovery requests attached to your February 14 letter, Irico's position is that these requests do not address the threshold jurisdictional question and should be deferred pursuant to the Court's Order Setting Aside Default (ECF No. 5240), which acknowledged the likelihood of "further proceedings [that] might demonstrate that the [sovereign immunity] defense applies and the Court lacks jurisdiction" and noted the Supreme Court's directive that such questions should be resolved "as near to the outset of the case as is reasonably possible." ECF No. 5240 at 19-20. We do not understand you to disagree that these discovery requests are related to issues on the merits rather than jurisdictional questions.

Finally, with respect to answering the Complaint, Irico believes that the most efficient procedure is to complete jurisdictional discovery and resolve those threshold issues before addressing non-jurisdictional matters, including answering the Complaint on behalf of the defendants. DPPs have not identified any prejudice that will result if the parties fully explore

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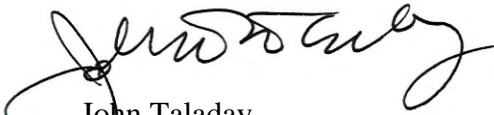
R. Alexander Saveri

- 2 -

March 13, 2018

jurisdictional issues prior to engaging in the costly and time-consuming investigation of the merits-based claims that will be necessary in order to answer the Complaint fully.

Sincerely,



John Taladay

JT

cc: Geoffrey C. Rushing
Matthew D. Heaphy
Erik Koons
Stuart Plunkett
Thomas Carter
Kaylee Yang
Ashley Eickhof

EXHIBIT 12

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March 23, 2018

VIA E-MAIL

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john.taladay@bakerbotts.com

Honorable Vaughn R. Walker
Law Office of Vaughn R. Walker
Four Embarcadero Center, Suite 2200
San Francisco, CA 94111

Re: *In re Cathode Ray Tube (CRT) Antitrust Litigation* - MDL No. 1917,
Master File No. 07-CV-5944-JST

Dear Judge Walker:

I am writing on behalf of Defendants Irico Display Devices Co., Ltd. and Irico Group Corporation ("Irico") and in response to the Direct Purchaser Plaintiffs' ("DPPs") March 21, 2018 letter-motion to compel responses to certain discovery requests. We request that Your Honor set aside DPP's motion and confirm that Irico need not respond to DPPs' motion for the reasons set forth herein. Specifically, DPPs' motion seeks to resolve the exact same discovery issues that will be addressed by Judge Tigar during the parties' already-scheduled April 24, 2018 Case Management Conference (Dkt. # 5257), just a few weeks from today. Thus, DPPs' current motion is a waste of judicial and party resources. Irico requests that Your Honor reject DPPs' motion as unnecessary.

The DPPs misstate the Court's order of February 1, 2018, which was not a ruling on FSIA. Rather, the Court issued an "Order Setting Aside Default," which ruled that the DPPs were not entitled to an Order of Default, nor a Default Judgement they sought, because the Defendants had a legitimate basis for believing itself immune under the FSIA. The Court engaged in an FSIA analysis only in concluding that it was competent to rule on default with respect to the Irico defendants at all. The Court concluded its Order by stating that "The case against the Irico Defendants having now reopened, the DPPs are free to undertake *jurisdictional* discovery." (emphasis added).

Subsequently, the DPPs sought to reassert the sweeping factual (non-jurisdictional) discovery issued years before that has now been placed before Your Honor. In a subsequent meet and confer, the parties recognized that they disagreed on the import of the Court's statement. Irico asserted that the Court intended the case to be limited to a determination of whether jurisdiction exists; the DPPs asserted that the case was open for all purposes. But both parties agreed that clarification was required and, at the DPPs' suggestion, agreed that a Case

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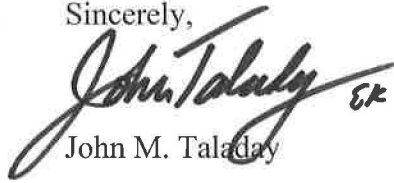
- 2 -

March 23, 2018

Management Conference should be scheduled as quickly as possible. The first mutually available date, April 24th, was proposed and accepted by the Court. (Dkt. # 5258).

Given the parties' joint request to address at the CMC the exact discovery issues raised in the DPPs' instant motion with Judge Tigar, Irco was surprised (and confused) to see DPPs' March 21, 2018 letter-motion to compel. The discovery issues that Judge Tigar will be requested to resolve at the CMC will be dispositive of all issues presented by the DPPs to Your Honor. And Your Honor's resolution of the motion to compel will not obviate the need for the April CMC, as the parties plan to request that Judge Tigar address issues beyond those raised in DPPs' motion. Thus, it will be a substantial waste of resources to permit full briefing of the issues raised in DPPs' motion to compel. On these bases, Irco respectfully request that Your Honor set aside DPPs' motion to compel and permit the parties to address any outstanding discovery issues with the Court during the April CMC.¹

Sincerely,

A handwritten signature in black ink, reading "John Taladay" with a stylized flourish at the end that includes the letters "EK".

John M. Taladay

¹ Should Your Honor decide to consider the DPP letter motion to compel, the Irco defendants would intend to submit a full opposition.